



AGENDA

GILA COUNTY PLANNING AND ZONING COMMISSION

Gila County Supervisors Conference Room

610 E. State Hwy 260, Payson, AZ

Community Development Conference Room

745 N. Rose Mofford Way, Globe, AZ

10:00 AM

May 17, 2018

REGULAR MEETING

1. Call to Order
2. Pledge of Allegiance
3. Roll Call: Mickie Nye-Chairman, Bill Marshall, Mary Lou Myers, Randy Slapnicka, Travis Holder, Terry Otts, Lori Brown
4. Review and Approval of Minutes of the Planning & Zoning Commission Hearing on February 15, 2018.
5. **Director/Planner Communication:**

At any time during this meeting of the Planning and Zoning Commission the Director and/or Planner of Community Development may present a brief summary of current events. No action may be taken.

Public Hearing:

Z-18-01 Gene Pendergraft: An application to amend the Gila County Zoning Ordinance for parcel 301-24-001 currently designated for Limited Residential Use (R1L-D12) to Transitional Residential (TR), allowing the applicant to have a personalized engraving business.

6. Adjournment



**MINUTES OF THE GILA COUNTY
PLANNING AND ZONING COMMISSION**

Thursday, February 15, 2018

GILA COUNTY BOARD OF SUPERVISORS CONFERENCE ROOM

610 E. State Hwy 260, Payson, AZ

10:00 A.M.

REGULAR MEETING

1. The meeting was called to order at 10:02 A.M. by Chairman Mickie Nye.

2. Pledge of Allegiance was led by Terry Otts.

3. Roll Call: Therese Berumen called the roll; Chairman Mickie Nye (in Globe), Mary Lou Myers (in Payson), Travis Holder (in Globe), Terry Otts (in Globe), and Bill Marshall (in Globe), Lori Brown (in Payson). Randy Slapnicka is absent. A quorum is present.

Community Development Staff Members Present: Scott Buzan-Director, Robert Gould-Planner and Therese Berumen-Administrative Assistant.

4. Review and Approval of Minutes of the Planning and Zoning Commission Hearing on January 18, 2018. Mickie Nye asked if there were any changes needed. Mary Lou Myers motioned that the minutes be approved as recorded and Travis Holder seconded the motion. It was unanimously approved.

5. **Director/Planner Communication:** At any time during this meeting of the Planning and Zoning Commission, the Director and/or Planner of Community Development may present a brief summary of current events. No action may be taken.

Neither Scott Buzan nor Robert Gould had anything they wanted to discuss.

Public Hearing:

6. **CUP-18-01 Taylor Candland/SBA:** An application to allow the increase of a cellular tower height from 150 feet to 162 feet, for parcel 304-37-009B, located in the area of Jake's Corner, at 46497 N. AZ Hwy 188, Payson, AZ, currently zoned GU (General Unclassified). If approved, this request will become effective 30 days after the approval from the Planning and Zoning Commission hearing.

Robert Gould stated that this application had been brought before the Commission previously, at the April 2017 meeting. The application was incomplete because it did not have the property owner's consent, so it was withdrawn. It is being brought before you again now because the application is now complete with the property owner's consent.

This application is to allow a 12-foot extension to an already existing cell tower, which would bring the height of the tower from 150 feet to 162 feet; allowing them to add a dish and new antennas. It is located in the area of Jake's Corner. The existing tower's Conditional Use Permit (CUP-1-01) was approved in 2001 with some conditions. Staff recommendation is to approve CUP-18-01 as submitted with same conditions that applied to CUP-1-01. Travis Holder wanted to clarify that it was a 12-foot extension the applicant was requesting and not 10 feet. Robert Gould stated that yes, it was indeed 12 feet. Lori Brown, who owns the property located at 46497 N. AZ Hwy 188 in Payson, AZ, which is where the cell tower is located, stated that when they applied last year for the Conditional Use Permit, they didn't have her permission. I also feel like I am paying taxes on their improvements. I got a back and forth answer from the county stating that yes, I was paying and then no I wasn't paying. It is fine if they add the extension and I just want to make it clear that I am not receiving any money from this and also, that I sit on the Planning and Zoning Commission, so I won't be voting on this application. Robert Gould wanted to add that in his staff report he talks about the fall zone of the tower. We have spoken to several engineers concerning this and they all stated that a tower normally falls in on itself and not out and over. That is why we have never concerned ourselves with it.

The meeting was opened to public comment. Taylor Candland of SBA Communications stated that he appreciated the Commission's time and if anybody had any questions, he would be happy to answer them. No other public comments. The public comment portion of the meeting was closed.

Bill Marshall motioned that they move to approve item number 6, CUP-18-01 Taylor Candland/SBA. The motion was seconded by Terry Otts. Lori Brown abstained. The motion was unanimously approved.

7. **Adjournment.** Lori Brown made a motion to adjourn the meeting and Terry Otts seconded the motion. The Motion to adjourn was unanimously approved at 10:11 A.M.



STAFF REPORT TO THE
PLANNING & ZONING COMMISSION



PUBLIC HEARING
REZONING APPLICATION Z-18-01
MAY 17, 2018 @ 10:00 AM
610 E. STATE HWY 260, PINE, ARIZONA

I APPLICATION

Applicant Name	Gene Pendergraft
Applicant Address	PO Box 2197 Pine, AZ 85544
Site Address	6273 W. Hardscrabble Mesa Road, Pine, AZ
APN Number	301-24-001
Current Zoning Designation	R1L-D12
Current Comprehensive Plan Designation	Residential 3.5 to 5 DU per acre
Application Number	Z-18-01

II Purpose & Description

Mr. Pendergraft wants to operate a small art type business at his home address. He makes wood art objects that he wishes to sell. He plans to build a 20' by 40' building, the same as across the street, but much smaller, with a front porch. In order to do this, he is asking that we rezone the front 65' of his property for this use.

III Primary Issue or Issues to Consider

Originally Mr. Pendergraft wanted to rezone his entire property, but was informed that staff would not recommend approval of this. The concern was that he was going to affect too many neighbors and the future development potential was very problematic.

At this time there are several other issues which will hold up the Commission in rendering a decision on this application:

1. First thing that must be done is to amend the Comprehensive Plan. In order to rezone a parcel, it must be compatible with the Comprehensive Plan. This is required in State Law. The Comprehensive Plan shows this property for residential which is not compatible with TR zoning. Pages 2-65 of our Comp Plan requires at least a Neighborhood Commercial designation.
2. Mr. Pendergraft has not submitted his neighborhood participation report.
3. Mr. Pendergraft had to resubmit his application to further refine to the area to be rezoned.

Because we had already advertised the rezoning hearing it was decided to hold the public hearing anyway.

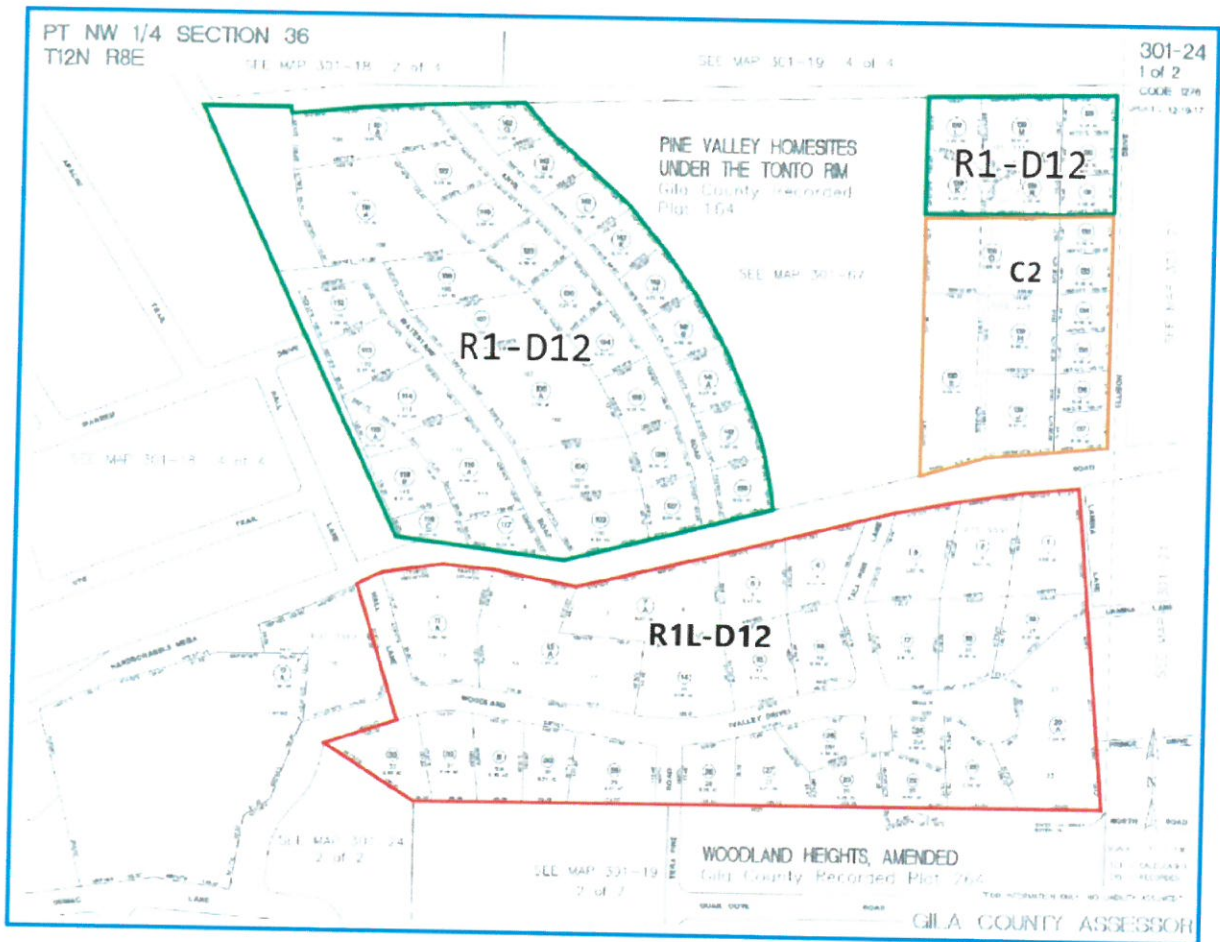
IV Summary

A more detailed analysis will be provided at the June 21, 2018 meeting.

V Recommendation

Staff recommendation is to allow any public comment that anyone wants to make but after all comments are in to table this application until the June 21, 2018 meeting.

Zoning Map



**Gila County Community Development Division
Planning & Zoning Department**

745 N Rose Mofford Way, Globe, AZ 85501
928-402-8513 or 402-8514, FAX 928-425-0829

or

608 E Highway 260, Payson, AZ 85541
928-474-9276, FAX 928-474-0802

APPLICATION FOR REZONING

Date: 4/16/18 File No.: 2-18-01

Applicant Name Gene Pendergraft Phone No.: 480-201-3542
Mailing Address P.O. Box 2197, Pine, AZ 85544
Signature: Gene Pendergraft

Owners Name Gene & Leigh Pendergraft Phone No.: 480-201-3542
Mailing Address P.O. Box 2197, Pine, AZ 85544
Signature: Gene Pendergraft

(If the applicant is not the owner of the subject property, the owner must submit an authorized agent form to allow the applicant to act for him or her.)

Property Address 6273^W Hardscrabble Mesa Rd, Pine, AZ 85544
Tax Assessor Parcel No. 301-24-001

Legal Description Lot 2, Woodland Heights Amented map # 264
Current Zoning: Residential Requested Zoning: ~~Commercial~~ TR w/

CURRENT USE OF PROPERTY BIL-D12 cabin residence - primary Condition for outdoor displays.

DESCRIBE PROPOSED PROPERTY USE: (Use extra sheets if necessary) Cabin Creation
making? Retail of woodwork outside displays.
engraving wood. See Attached.

SITE PLAN: See attached instruction sheet for requirements. Site plan must be submitted with the application.

UTILITIES CURRENTLY AVAILABLE AT SITE: ☒ Gas ☐ Sewer ☐ Water ☒ Electric ☒
If utilities are not available, describe how utilities will be provided _____

Information must be complete and accurate. Attach all required information as outlined on the attached instruction sheet.

FOR OFFICE USE ONLY

Fee received \$365.00: Check No. _____ Cash _____ Date: _____
PZC Legal Publication and Posting Date: 5/2/18 Hearing Date: 5/17/18
PZC Recommendation: _____

BOS Legal Publication and Posting Date: 5/2/18 Hearing Date: 6/5/18
BOS Decision: _____

110'



6073 W. Hardscrabble mesa Rd.
Pine, AZ

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To: Gila County Planning & Zoning Commission
From: Gene Pendergraft
Date: April 8, 2018
Ref: Application for Rezoning

We are requesting rezoning for our property from residential to commercial. We are planning on building an 880 sq. barn to use as a retail business (illustration attached).

- A. The business would be personalized engraved gifts and souvenirs,
- B. The wood engraving would be completed at this location for the customer, using a counter top laser.
- C. The business would be run by my wife and me. There would not be any other employees involved.
- D. The hours of business would be 8:30am to 6:00pm.
- E. One handi cap parking space (11' wide) and concrete slab with ramp and 3 to four other parking spaces.

SECTION 36

PINE VALLEY HOMESITES
UNDER THE TONTO FM
Gila County Recorded
Plat 164

SEE MAP 301-67

SEE MAP 301-24
2 of 2

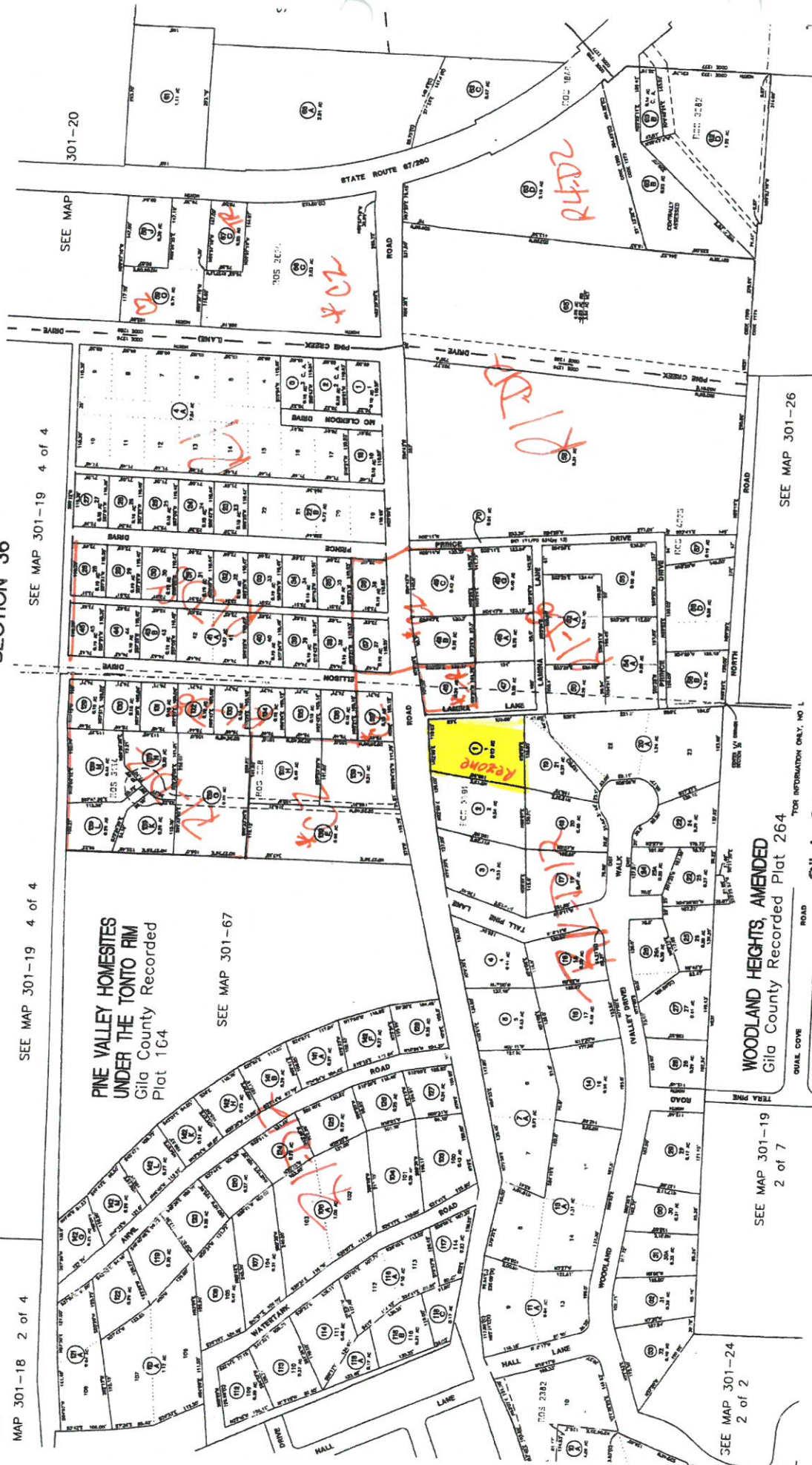
SEE MAP 301-19
2 of 7

WOODLAND HEIGHTS, AMENDED
Gila County Recorded Plat 264

FOR INFORMATION ONLY, NO L
ROAD
DUAL COVE
GILA COUNTY AS

SEE MAP 301-26

GILA C



745 N. Rose Mofford Way
Globe, Arizona 85501
(928) 402-4224
FAX (928) 425-0829



608 E. Hwy 260
Payson, Arizona 85541
(928) 474-9276
FAX (928) 474-0802

GILA COUNTY COMMUNITY DEVELOPMENT

April 17, 2018

Gene Pendergraft
PO Box 2197
Pine, AZ 85544

Re: Zoning change for 301-24-001

Dear Mr. Pendergraft,

Enclosed you will find the property owner notification letters, labels, return labels and envelopes. You will just need to get them into envelopes and get them mailed out, as soon as you can, so that everyone will have enough notice to make arrangements, if necessary. Please don't forget that after the meeting, I will need a summary of what was discussed and also a list of everyone who showed. You can email me that information or put it in the mail to me. Please keep in mind, if someone contacts you via phone or by mail, we will also need that information as well.

If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

Therese Berumen
Community Development
Administrative Assistant
928-402-8512

April 20, 2018

Assessor's Parcel #: 301-24-001

Property Address: 6273 W. Hardscrabble Mesa Rd.
Pine, AZ 85544

Dear Property Owner,

We would like to apply for a zoning change from R1L-D12 to Transitional Residential (TR), to allow cabin creation making and retail of woodwork. Before we can apply for a rezoning, the zoning regulations require us to notify all property owners within three hundred (300) feet of the subject property and to schedule a time and place to meet and inform you of our intent to rezone the property. Therefore, we are inviting you to meet with us on:

Date: Saturday, May 12, 2018

Time: 10:00 A.M.

Location: 6273 W. Hardscrabble Mesa Rd., Pine AZ 85544

If you are unable to attend the meeting you can contact me with your comments at:

Phone: 480-201-3542

Mailing: PO Box 2197
Pine, AZ 85544

Sincerely,
Gene and Leigh Pendergraft

Gene Pendergraft
PO Box 2197
Pine, AZ 85544

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PO Box 2197
Pine, AZ 85544

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PO Box 2197
Pine, AZ 85544

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Steven Mitchell
21123 S. Harvard Blvd.
Torrance, CA 90501

Perry & Karrie Schaal
PO Box 429
Pine, AZ 85544

Hardscrabble Properties, LLC
PO Box 1455
Laguna Beach, CA 92652

Steven Morken
Tamara Logsdon
PO Box 1751
Pine, AZ 85544

Kenneth & Karen Nichols
8701 E. Rose St.
Mesa, AZ 85208

Edwin & Nadene Harper Trustees
Harper Revocable Trust
C/O Kay & Susan Lines
441 E. First Ave.
Mesa, AZ 85204

Helen Freeman Trustee
Helen & Allen Freeman Trust
1420 N. Center St.
Mesa, AZ 85201

Daniel & Helen Bonow Trustees/Trust
629 E. La Jolla Dr.
Tempe, AZ 85282

Peter & Karen Plante Trustees
Plante Revocable Trust
PO Box 682
Pine, AZ 85544

Mark McFadden
PO Box 869
Pine, AZ 85544

Connors & Speakman Trustees
Speakman Connors Living Trust
PO Box 1025
Pine, AZ 85544

Michael & Debra Kroll
PO Box 1385
Pine, AZ 85544

Hardscrabble, LLC
16230 N. 22nd St.
Phoenix, AZ 85022

Gertrud Seiverd
2209 N. 16th Ave.
Phoenix, AZ 85007

Steven & Darla McDowell
PO Box 1027
Pine, AZ 85544

Mark & Ola Johnson
PO Box 533
Pine, AZ 85544

Charles & Rita Kienitz Trustees
Kienitz Trust
26422 S. Maricopa Place
Sun Lakes, AZ 85248

Janet Satterfield
Cheryl Roberts
11201 N. 74th Lane
Peoria, AZ 85345

Patti Hirst Trustee 50%
Patti Hirst Living Trust
PO Box 5763
Sun City West, AZ 85376

Andrew Rice
C/O Irma Brewer
1356 S. 30 E.
Payson, UT 84651

Clair & Nicole Adams
6332 E. Presidio St.
Mesa, AZ 85215

(14)

Gene Pendergraft
PO Box 2197
Pine, AZ 85544

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PO Box 2197
Pine, AZ 85544

Gene Pendergraft
PO Box 2197
Pine, AZ 85544

Gene Pendergraft
PO Box 2197
Pine, AZ 85544

Kenneth Mitchell
PO Box 672
Pine, AZ 85544

St. Croix Home Group LLC
3637 N. Ellison
Pine, AZ 85544

James & Linda Adams Trustee/Trust
PO Box 1352
Pine, AZ 85544

Martin Beltz
3725 N. Ellison Dr.
Pine, AZ 85544

Tymeless Antiques LLC
PO Box 1112
Pine, AZ 85544

15

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Étiquettes faciles à peler

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révéler le rebord Pop-up™
Sens de
chargement

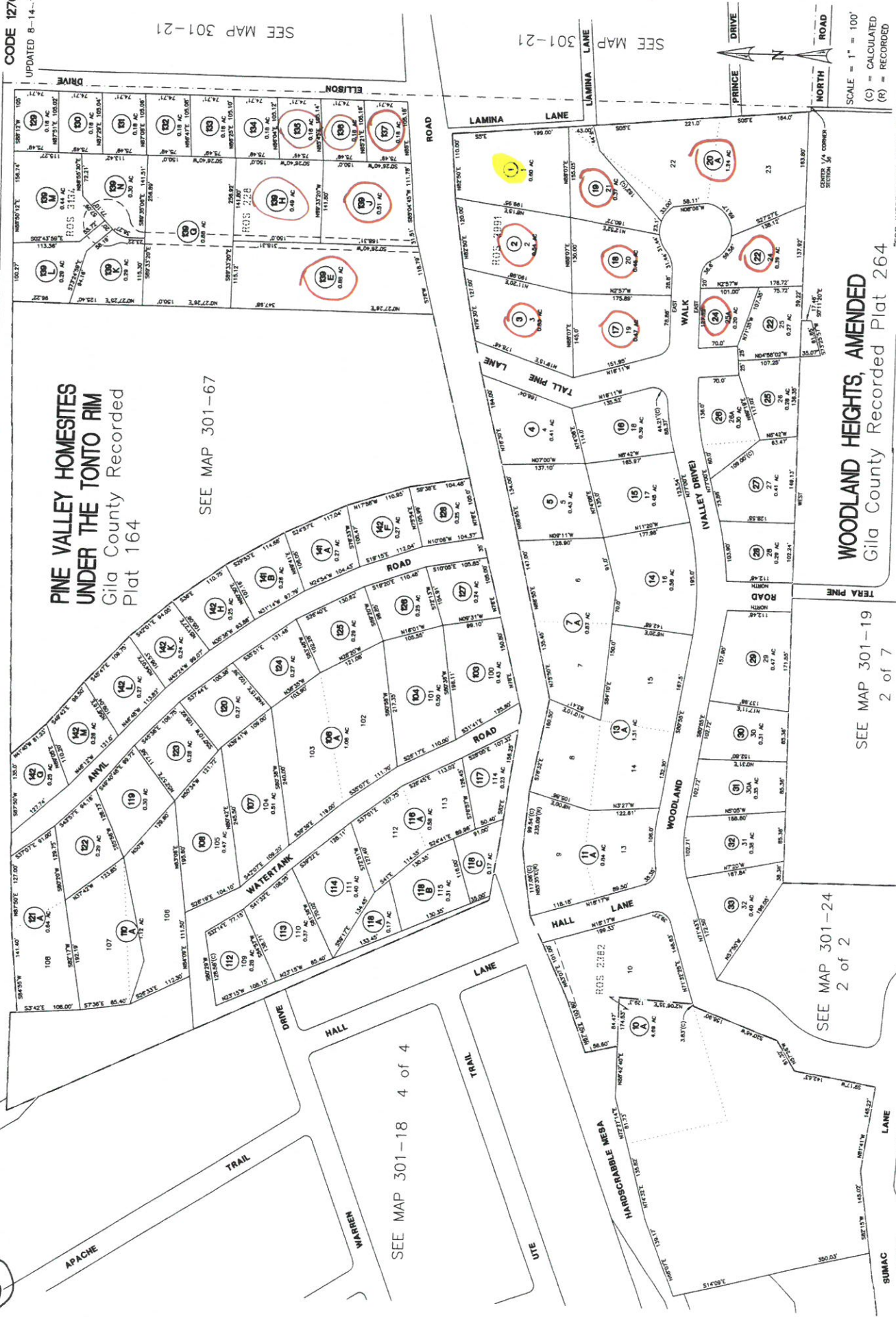
www.avery.com
1-800-GO-AVERY
www.avery.com
1-800-GO-AVERY

PT NW 1/4 SECTION 36
T12N R8E

SEE MAP 301-18 2 of 4

SEE MAP 301-19 4 of 4

301-24
1 of 2
CODE 1276
UPDATED 8-14-17

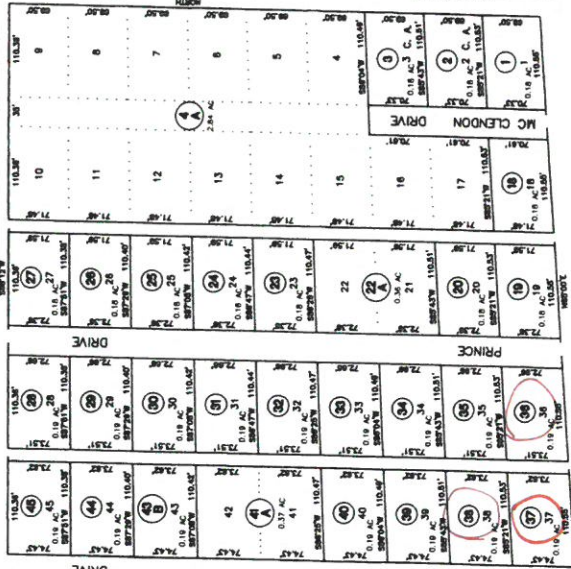


PT SW 1/4 NE 1/4 SECTION 36
T12 N R8 E

**PINE VALLEY HOMESITES
UNDER THE TONTO RIM**
Gila County Recorded
Plat 164

SEE MAP 301-24 1 of 2

SEE MAP 301-19 4 of 4



SEE MAP 301-24 1 of 2

301-21
CODE 1273
1276
1277
1279
1280
UPDATED 3-03-15

301-20

SEE MAP

SEE MAP 301-19 1 of 4

SEE MAP 301-22

SCALE = 1" = 100'
(C) = CALCULATED
(R) = RECORDED

FOR INFORMATION ONLY, NO LIABILITY ASSUMED.

GILA COUNTY ASSESSOR

SEE MAP 301-26

POSTING CERTIFICATE

File Number & Name

2-18-01 Gene Pendergraft

Meeting of: ☒ P & Z Commission ☐ Board of Supervisors ☐ Board of Adjustment & Appeals

Meeting Date: 5/17/18

Number of Postings: 3

Date to be Posted: 5/2/18

Date Posted: 5/2/18

Location:

1. Public Works Admin Bldg.
2. Gila County Courthouse
3. Gila County Complex (per Cheryl Sluyter)
4. _____
5. _____

By: John Bauer

POSTING INSTRUCTIONS (Per Par. A, A.R.S. Sec. 11-814)

Posting is to be no less than two places with at one notice for each $\frac{1}{4}$ mile of frontage along perimeter public rights-of-way, so notices are visible from the nearest public right-of-way.

ZONING HEARING GILA COUNTY

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Gila County Planning and Zoning Commission will hold a public hearing on Thursday, May 17, 2018 beginning at 10:00 A.M. The hearing will take place in the Community Development Conference Room, located at 745 N. Rose Mofford Way, Globe, AZ and will be simultaneously telecast to the Board of Supervisors Conference Room at 610 E. State Hwy 260, Payson, AZ. The Gila County Board of Supervisors will hold a public hearing on the following application on Tuesday, June 5, 2018 at 10:00 A.M. The hearing will take place in the Board of Supervisors Hearing Room, located at 1400 E. Ash Street, Globe, AZ and will be simultaneously telecast to the Board of Supervisors Conference Room located at 610 E. Hwy 260, Payson, AZ.

Amendment to Gila County Zoning Ordinance Hearing Application:

Z-18-01 Gene Pendergraft: An application to amend the Gila County Zoning Ordinance for parcel 301-24-001 currently designated for Limited Residential Use (R1L-D12) to Transitional Residential (TR), allowing the applicant to have a personalized engraving business. This property is located at 6273 W. Hardscrabble Mesa Rd., Pine, AZ. If approved, this request will become effective 30 days after the approval at the Board of Supervisors hearing.

The Board of Supervisors hearing date will be continued if the Planning and Zoning Commission has not given a recommendation. Interested persons may file a statement in writing for or against, or appear and be heard at the dates set forth. Citizens can mail their statements to the addresses below.

Interested persons may file a statement in writing for or against or appear and be heard at the date set forth. Citizens can also mail their statements to the addresses below.

Information on the above mentioned case is available for review in the Gila County Community Development Department located at 745 N. Rose Mofford Way, Globe, AZ or 608 E. Hwy 260, Payson, AZ during normal business hours. Comments can also be sent to rgould@gilacountyaz.gov or (928) 402-8514.

DATED AND POSTED this 2nd Day of May, 2018.

Gila County Planning & Zoning Commission



Robert A. Gould

Gila County Community Development

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PENALTY FOR DEFACING POSTER PRIOR TO DATE OF HEARING

POSTING CERTIFICATE

File Number & Name

Z-18-01 Gene Pendergraft

6273 W. Handscrabble mesa Rd.
Pine, AZ

Meeting of: ☒ P & Z Commission ☒ Board of Supervisors ☐ Board of Adjustment & Appeals

Meeting Date: 5/17/18 6/5/18

Number of Postings: 3

Date to be Posted: by 5/21/18

Date Posted: 5/21/18

Location:

1. Posted at Subject Site 6273 Handscrabble Rd
2. Posted at Corner of Anvil Rd and Handscrabble Rd ~~west~~ of site
3. Posted at Corner of Handscrabble Rd & Hwy 87 on pole at Market Place
4. _____
5. _____

By: Daniel

POSTING INSTRUCTIONS (Per Par. A, A.R.S. Sec. 11-814)

Posting is to be no less than two places with at one notice for each $\frac{1}{4}$ mile of frontage along perimeter public rights-of-way, so notices are visible from the nearest public right-of-way.

(70)



③



①



②

6273 W. Handscribble Rd
5/2/18 of

②1

Affidavit of Publication

State of Arizona County of Gila

Sherri J. Davis, or her authorized representative being first duly sworn deposes and she is the Publisher of the Arizona Silver Belt and the San Carlos Apache Moccasin newspaper at 298 North Pine Street, Globe, Arizona 85501, or mail: P.O. Box 31, Globe, Arizona 85502.

The above stated newspapers are published weekly in Globe, in the State of Arizona, Gila and that the following described ☒ legal, or ☐ advertising was duly published.

LEGAL NOTICE GILA COUNTY PLANNING AND ZONING COMMISSION AND THE GILA COUNTY BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that the Gila County Planning and Zoning Commission will hold a public hearing May 17, 2018 beginning at 10:00 A.M. The hearing will take place in the Community Development Conference Room at 745 N. Rose Mofford Way, Globe, AZ and will be simultaneously telecast to the Board of Supervisors Room at 610 E. State Hwy 260, Payson, AZ. The Gila County Board of Supervisors will hold a public hearing on Tuesday, June 5, 2018 at 10:00 A.M. The hearing will take place in the Board of Supervisors Room located at 1400 E. Ash Street, Globe, AZ and will be simultaneously telecast to the Board of Supervisors Room located at 610 E. Hwy 260, Payson, AZ.

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A printed copy of said legal or advertising is attached hereto and was published in a regular edition of said newspaper (and not a supplement thereof) for 1 consecutive week in the ☒ Silver Belt, and/ or the ☐ San Carlos Apache Moccasin newspaper.

MAY 02, 2018

The dates of publication being as follows, to wit:

Sherri J. Davis

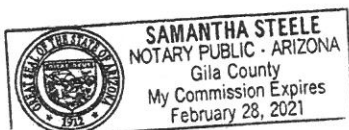
Sherri J. Davis
Publisher

State of Arizona)

) ss:

County of Gila)

The foregoing instrument was acknowledged before me **May 2, 2018**, by Sherri J. Davis.



Samantha Steele

Notary Public
My Commission Expires:

February 28, 2021

LEGAL NOTICE
GILA COUNTY
PLANNING AND ZONING
COMMISSION
AND THE GILA COUNTY
BOARD OF SUPERVISORS
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By: _____

Robert Gould
Gila County Community Development
Arizona Silver Belt One
Publication: May 2, 2018
Acct: 101556
One pub: 05-02-18
LE1360

745 N. Rose Mofford Way
Globe, Arizona 85501
(928) 402-4224
FAX (928) 425-0829



608 E. Hwy 260
Payson, Arizona 85541
(928) 474-9276
FAX (928) 474-0802

GILA COUNTY COMMUNITY DEVELOPMENT

April 27, 2018

Re: An application to amend the Gila County Zoning Ordinance for parcel 301-24-001 currently designated for Limited Residential Use (R1L-D12) to Transitional Residential (TR), allowing the applicant to have a personalized engraving business. This property is located at 6273 W. Hardscrabble Mesa Rd., Pine AZ.

To Whom It May Concern,

The Planning and Zoning Commission will hold a public hearing on the attached application to amend the Gila County Zoning Ordinance, currently zoned R1L-D12 to TR on May 17, 2018 at 10:00 A.M., in the Board of Supervisors Conference Room at 610 E. State Hwy. 260, Payson, AZ and will be simultaneously telecast to the Community Development Conference Room, located at 745 N. Rose Mofford Way, Globe, AZ.

You can comment on the application by attending the hearing or sending comments to Robert Gould at 745 N. Rose Mofford Way, Globe, AZ 85501 or 608 E. Hwy. 260, Payson, AZ 85541. You may also email comments to rgould@gilacountyaz.gov or contact me at (928) 402-8514.

Sincerely,

Robert Gould
Planner